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Attorneys for Defendants Rural/Metro Fire Dept., Inc.,
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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Robert Steven Cutler, individually and as
Administrator of the Estate of David A. Cutler,
deceased, on behalf of himself and on behalf of
all beneficiaries of the Estate of David A.
Cutler, deceased, and Renee Luddington Cutler,

Plaintiffs,

vs.

Mark D. Napier, Sheriff of Pima County,
Arizona, in his official capacity; Rural/Metro
Fire Dept., Inc., an Arizona for profit
corporation, Keith Barnes and Jane Doe Barnes,
his spouse, Grand Reed and Brittany Reed,

Defendants.

No. 18-CV-00383-TUC-FRZ

**DEFENDANTS RURAL/METRO
FIRE DEPT., INC., GRANT REED
AND BRITTANY REED'S
STATEMENT OF FACTS IN
SUPPORT OF THEIR MOTION
FOR SUMMARY JUDGMENT RE:
NEGLIGENCE CLAIM – HARO
EXPERT TESTIMONY
PRECLUSION**

**(Assigned to the Honorable
Frank R. Zapata)**

1 Defendants, Rural/Metro First Dept., Inc., Grant and Brittany Reed (collectively
2 “RM”), respectfully submit this Statement of Facts in support of their Motion for
3 Summary Judgment RE: Negligence Claim – Haro Expert Testimony Preclusion.

4 **STATEMENT OF FACTS**

5 1. Plaintiff has disclosed Guillermo Haro as a paramedic standard of care
6 expert. *See Exhibit A*, Guillermo Haro’s Supplemental Expert Report (Haro000006-
7 000015).

8 2. Guillermo Haro retired as a paramedic from the Glendale Fire Department
9 in September of 2006. *See Exhibit B*, Deposition of Guillermo Haro at p. 20, ln. 6 – p.
10 21, ln. 7.

11 3. During the year preceding the incident in question, Guillermo Haro was a
12 part-time employee for Paradise Valley Community College where he taught on average
13 6.15 hours per week. *See Exhibit C*, relevant documentation from PVCC (CUTLER/RM
14 0815-0816 and CUTLER/RM 0833).

15 4. His annual income from teaching for the period 06/05/16 through 06/05/17
16 was \$8,442.90 (295 hours @ the hourly rate of \$28.62). *See Exhibit D*, 2016-2017 W2s
17 and timesheets (CUTLER/RM 0815-0816 and CUTLER/RM 0873-0874).

18 5. Guillermo Haro was the lead instructor for a course in pathophysiology that
19 he taught once per year for a period of 3 eight-hour days. *See Exhibit B* at p. 67, ln. 20
20 – p. 68, ln. 13.

21 6. Guillermo Haro is identified by PVCC as a temporary worker and since
22 2004 has held the titles of EMT Temp and Paramedic Class Lab Tutor. *See Exhibit E*,
23 relevant documentation from PVCC (CUTLER/RM 0833, CUTLER/RM 0824-0825 and
24 CUTLER/RM 0828-0829).

25 7. Guillermo Haro has not published any scholarly articles or books. *See*
26 *Exhibit B* at p. 54, ln. 19 – p. 55, ln. 1 and p. 172, lns. 3-8.

CERTIFICATE OF SERVICE

I hereby certify that on September 3, 2020, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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